Numb. LIV.

THE

Pennſylvania GAZETTE.

Containing the freſheſt Advices Foreign and Domeſtick.

From Thurſday, November 27. to Monday, December 1. 1729.

CONTINUATION OF THE *ACCOUNT of the late Enquiry into the State of the* GOALS *in* ENGLAND.

CAPTAIN *John Macpheadris*, who was bred a Merchant, is another melancholy Inſtance of the cruel Uſe the ſaid *Bambridge* hath made of his aſſumed Authority. *Macpheadris* was a conſiderable Trader, and in a very flouriſhing Condition until the Year 1720, when being bound for large Sums to the Crown, for a Perſon afterwards ruined by the Misfortunes of that Year, he was undone. In *June* 1727 he was Priſoner in the *Fleet*, and altho' he had before paid his Commitment-Fee, the like Fee was extorted from him a Second Time; and he having furniſhed a Room, *Bambridge* demanded an extravagant Price for it, which he refuſed to pay; and urged, That it was unlawful for the Warden to demand extravagant Rents, and offered to pay what was legally due: Notwithſtanding which, the ſaid *Bambridge*, aſſiſted by *James Barnes* and other Accomplices, broke open his Room, and took away ſeveral Things of great Value, amongſt others, the King's Extent in Aid of the Priſoner (which was to have been returned in a few Days, in order to procure the Debt to the Crown, and the Priſoner's Enlargement) which *Bambridge* ſtill detains. Not content with this, *Bambridge* locked the Priſoner out of his Room, and forced him to lie in the open Yard, called the *Bare*. He ſat quietly under his Wrongs, and getting ſome poor Materials, built a little Hut to protect himſelf, as well as he could, from the Injuries of the Weather. The ſaid *Bambridge* ſeeing his Unconcernedneſs, ſaid, *Damn him! he is eaſy. I will put him into the* Strong Room *before Tomorrow*; and ordered *Barnes* to pull down his little Hut, which was done accordingly. The poor Priſoner being in an ill State of Health, and the Night rainy, was put to great Diſtreſs. Some Time after this he was (about Eleven a Clock at Night) aſſaulted by *Bambridge*, with ſeveral other Perſons his Accomplices, in a violent Manner; and *Bambridge*, tho' the Priſoner was unarmed, attacked him with his Sword, but by good Fortune was prevented from killing him; and ſeveral other Priſoners coming out upon the Noiſe, they carried *Mackpheadris* for Safety into another Gentleman's Room, ſoon after which *Bambridge* coming with one *Savage*, and ſeveral others, broke open the Door, and *Bambridge* ſtrove with his Sword to kill the Priſoner; but he again got away, and hid himſelf in another Room. Next Morning the ſaid *Bambridge* entred the Priſon with a Detachment of Soldiers, and ordered the Priſoner to be dragged to the Lodge, and ironed with great Irons, on which he deſiring to know for what Cauſe, and by what Authority he was to be ſo cruelly uſed; *Bambridge* replied, *It was by his own Authority, and Damn him, he would do it, and have his Life.* The Priſoner deſired he might be carried before a Magiſtrate, that he might know his Crime before he was puniſhed; but *Bambridge* refuſed, and put Irons upon his Legs which were too little, ſo that in forcing them on, his Legs were like to have been broken; and the Torture was impoſſible to be endured. Upon which the Priſoner complaining of the grievous Pain and Streightneſs of the Irons, *Bambridge* anſwered, *That he did it on Purpoſe to Torture him:* On which the Priſoner replying, *That by the Law of* England *no Man ought to be tortured*; *Bambridge* declared, *That he would do it firſt, and anſwer for it afterwards*; and cauſed him to be dragged away to the Dungeon, where he lay without a Bed, loaded with Irons ſo cloſe riveted that they kept him in continual Torture, and mortified his Legs. After long Application his Irons were changed, and a Surgeon directed to dreſs his Legs, but his Lameneſs is not, nor ever can be cured. He was kept in this miſerable Condition for three Weeks, by which his Sight is greatly prejudiced, and in danger of being loſt.

The Priſoner, upon this Uſage, petitioned the *Judges*, and after ſeveral Meetings, and a full Hearing, the *Judges* reprimanded Mr. *Huggins* and *Bambridge*, and declared *That a Goaler could not anſwer the Ironing of a Man before he was found guilty of a Crime*; but it being out of Term, they could not give the Priſoner any Relief or Satisfaction.

Notwithſtanding this Opinion of the Judges, the ſaid *Bambridge* continued to keep the Priſoner in Irons 'till he had paid him ſix Guineas; and to prevent the Priſoner's recovering Damages for the cruel Treatment of him, *Bambridge* indicted him and his principal Witneſſes at the *Old Baily*, before they knew any Thing of the Matter; and to ſupport that Indictment, he had recourſe to Subornation, and turned two of his Servants out of Place which they had bought, becauſe they would not ſwear falſly that the Priſoner had ſtruck the ſaid *Bambridge*, which Words he had inſerted in Affidavits ready prepared for ſigning, and which they knew to be falſe. As ſoon as they were appriſed of it, they applied to the Lord-Mayor, who ordered the Grand-Jury down to the *Fleet*, where they found that *Bambridge* was the Aggreſſor. But the Bill againſt the Priſoners being already found, the Second Enquiry was too late.

The Priſoners being no longer able to bear the Charges of Proſecution, which had already coſt 100 *l.* and being ſoftned by Promiſes and terrified by Threats, ſubmitted to plead Guilty, on a ſolemn Aſſurance and Agreement made with *Bambridge* before Witneſſes, of having but one Shilling Fine laid upon them; but ſo ſoon as they had pleaded Guilty, *Bambridge* took Advantage of it, and has continued harraſſing them and their Securities ever ſince.

The Deſire of Gain urged the ſaid *Bambridge* to the preceding Inſtances of Cruelty; but a more diabolical Paſſion, that of *Malice*, animated him to oppreſs Capt. *David Sinclair* in the following Manner.

[*To be continued in our next.*]

LONDON *September 6.*

It hath been reported and inſerted in the *Daily Papers*, ſince our laſt, that a Meſſenger was arrived from Hanover with the good News that all Differences between their Britannick and Pruſſian Majeſties were in a fair Way of Accommodation, both Parties have agreed upon Mediators and a Place of Congreſs; but nothing of this having been publiſhed in the *Gazette* of Tueſday laſt, we are in ſome

Doubt

Doubt of the Truth of it; eſpecially ſince we have received freſh Advices that the Troops of the Northern Powers, on both Sides, continue in Motion. However we hope to hear this News ſpeedily confirmed.

Private Letters from Paris ſay, " That on the happy " Occaſion of the Birth of the Dauphin, all Communities " are endeavouring to out do one another in ſhewing their " Joy and Acclamations. There were 35 Fountains run- " ning with Wine three Days; Bonfires at every Door. " The Cannon of the whole Kingdom thunder on this Oc- " caſion; every Steeple is hung with Flags and Streamers, " and not a Houſe but diſplays ſome Enſign of this good " News. Thoſe who can ſignify their Zeal by nothing " elſe, hoiſt out a white Sheet upon a Pole; at Night " whole Streets ſeem on Fire, and the Sea-Ports are cover- " ed with the Flags of Ships taken the laſt War.

On Friday laſt a melancholy Misfortune happened at Farringdon in Berkſhire, where one William Sokey, a Soap-Boiler, being diſordered in his Senſes, went into the Houſe of one Mrs. Sparks, who was then abſent from Home, and taking a young Child out of the Cradle, play'd with it for ſome Time, ſaying it was an innocent Lamb, and a Pity to hurt it; but the Child's Brother of about five Years old ſtanding near the Cradle, Sokey fell upon him with a Truncheon, and beat him in ſo unmerciful a Manner, that his Brains came out, and the Boy immediately died; another Boy ſeeing this, ran out of the Houſe, and called his Mother, who was at a neighbouring Gentleman's at Work: The poor Woman no ſooner entred her Houſe, but Sokey knocked her down, and repeated his Blows with ſuch Violence that ſhe alſo expired: The Place being alarmed, he was ſecured, and committed to Reading Goal; when he was examined before the Juſtice, his Reaſon for committing this horrid Fact was, that he thought that there were too many poor People in the Country, and that he had done good Service in ridding the Town of them; the Coroner's Jury have brought it in Murder.

The Maſter of one of the Dutch Ships of War, is come from Spithead to Town, he having been Keel-haul'd, then received 200 Laſhes on his bare back, and afterwards diſcharged the States Service, for quarrelling with and beating the Captain's Son.

Laſt Wedneſday one Everet of Fleet-Lane ſold his Wife to one Griffin of Long-Lane for a 3 s. Bowl of Punch; who, we hear, hath ſince complained of having a *bad Bargain.*

Philadelphia, December 1.

On Friday laſt, at a Court of Admiralty held here, His Honour *Patrick Gordon*, Eſq; being Preſident, *John Wells*, *John Hugg*, *Peter Bard*, and *John Moore*, Eſqrs. Commiſſioners; *Thomas Lawrence*, Eſq; *Samuel Haſel*, Eſq; Capt. *John Hopkins*, and Capt. *Thomas Bourn*, Aſſiſtants; came on the Tryal of Capt. *Mercer* for the Murder of *Thomas Flory*, one of his Paſſengers.

The Commiſſion being read, and the Court qualified, ſeveral Articles were exhibited againſt the Priſoner, charging him with putting to Death *Thomas Flory* in a cruel, inhuman and barbarous Manner on the high and open Seas, contrary to the Laws of God and Man, and to the Peace of our Sovereign Lord the King, &c. To all which he pleaded Not Guilty: Then the Counſel for the Priſoner moved for a Copy of the Articles, which was granted; and the Court adjourned 'till Saturday Morning 10 a Clock.

The Court being met according to Adjournment, ſeveral Witneſſes were examined for the King, who depoſed that being on board the Ship *Drogheda Merchant* on her Paſſage from *Ireland* to *Pennſylvania*, *Thomas Flory* the Deceas'd was brought upon Deck by the Captain's Order, a Rope put about his Neck, and a Prayer-Book put in his Hand; and that he was threatned with immediate Death; but that he afterwards had Irons put on his Hands, by which he was hoiſted up from the Deck, that Matches dipt in Brimſtone were put between his Fingers, and Toes, and being ſet on Fire they burnt the Fleſh to the Bones, leaving ſome of the Joints bare; that he hung in that Manner near half an Hour, making grievous Lamentation; And that Capt. *Mercer* being adviſed to forbear ſuch Proceedings, anſwered, *That he was King, Judge and Governor aboard his own Veſſel, and would do what he pleaſed.* That the ſaid *Flory* was afterwards thrown over-board with a Rope round his Middle; and continued to lie above Deck in the open Air, not being admitted into his Berth below; and being in a miſerable Condition, unable either to ſtand or go, or feed himſelf, and crying out for Water, a Bucket of Salt Water was thrown upon him; that he languiſhed upon Deck ſeveral Weeks, and at length died; and that the Night he died all the Paſſengers were ordered below Decks, and the Hatches nailed down upon them.

Then ſeveral Witneſſes were called by the Counſel for the Priſoner; who depoſed as follows, That ſome Days after their Departure from *Cape Clear* in *Ireland*, Mr. *Steward*, one of the Paſſengers, made a Complaint to the Captain, that he was robbed by the aforeſaid *Thomas Flory* of near 100 Guineas, and intreated his Aſſiſtance in recovering it; that accordingly the ſaid *Tho. Flory* was examined and threatned 'till he confeſſed he had taken the Money; and being asked where it was, he ſaid *He had put it in a Place by the Side of the Pump*: But it not being found there upon Search, the Matches aforementioned were put between his Fingers, in order to terrify him to a true Confeſſion. It was likewiſe depoſed, that the Captain neither ordered nor approved his lying upon Deck, having ſeveral Times directed him to his Berth below, but that the Paſſengers, one and all, refuſed to admit him among them, he being an odious filthy Fellow, and having a Diſtemper, which together with his uſual Lazineſs, rendered him extreamly uncleanly. That the Water thrown on him was not by the Captain's Order, nor was it by his Order, or with his Knowledge that he was thrown over-board as above. That the Paſſengers being ordered down, and the Hatches nailed on them the Night that *Flory* died, was no more than was uſual when they were like to have bad Weather, and that that Night in particular they expected to come in with the Land, when it was by no Means proper to have the Decks crowded.

It did not appear by any of the Evidence, that Capt. *Mercer* had ordered the Matches to be lighted; or that what he had done was out of particular Malice to the Deceaſed, but from a Deſire to do Juſtice to Mr. *Steward* and his Family, who having ſold their Effects in *Ireland*, and embarked what they had, together with themſelves, on board his Veſſel for a ſtrange Country, it was apprehended were greatly injured by the ſaid *Flory*. That what was done to him was with the general Concurrence and Aſſiſtance of all aboard; he being regarded by ſcarcely one in the Ship, not even by his own Siſter, who after he had ſuffered as above, uſed frequently to reproach him with the Theft, and beat him with her own Hands; and that tho' no one was by any Means reſtrained from comforting or miniſtring to the Deceaſed in his Weakneſs, it did not appear that any of them had been at all forward ſo to do, by which it ſeems he was the general Averſion of the whole Company. It appeared likewiſe, that there might be ſome Malice in the Proſecution; One *Moneypenny*, one of the Paſſengers, who has been very active in the Thing, being called as a Witneſs for the King, it was depoſed in Court that he had attempted to ſuborn Evidences againſt the Priſoner, and had undertaken his Death, ſaying, *If he were not hanged he would hang for him*; and *That if the Priſoner was not hanged, it ſhould not be for want of Swearing*, or Words to that Effect, upon which he was put by, and not ſuffered to give his Evidence. Several Perſons appeared to the Priſoner's Reputation, and ſpoke very handſomely of him, declaring that they had known him many Years; that he always bore a fair Character, and was never accounted to be of a tyrannical or cruel Diſpoſition. The Trial laſted 'till five in the Afternoon, when upon the Whole the Court acquitted him, to the general Satisfaction of the People, who before had been greatly exaſperated againſt him.

Advertiſement.

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